IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.2095 OF 2005

Himtiyaz Shaukat Sayeed
Convict No.C-13627)
presently in Yerawada Central
Prison, Pune. ..Petitioner

Vs.

The State of Maharashtra
and Ors. ..Respondents

...

Mr.Arfan Sait Advocate (appointed) for Petitioner
Mr.V.B.Konde-Deshmukh A.P.P. for State

...

CORAM: D.G.DESHPANDE AND SMT.V.K.TAHILRAMANI,JJ.

DATE : MARCH 13, 2006

P.C.:

1. Heard the learned advocate for the petitioner and learned A.P.P. for the State.

2. This petition for furlough is sent through jail by the petitioner. The prayer for furlough was rejected on the apprehension that if he is granted furlough, he would abscond and there would be a possibility of threat to the witnesses. Nothing is

mentioned as to on what basis apprehension is there. Therefore, we do not find any ground for rejecting the prayer for furlough. Hence, the order rejecting furlough is quashed and set aside. Furlough is granted to the petitioner as per Rules. During the period of furlough, the petitioner shall not enter into jurisdiction of Shivajinagar Police Station, Govandi, Mumbai. Office to communicate this order to the jailor as well as to the petitioner through jail at the earliest.

3. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]